

**2004/05**

# **Category 1**

**Smart Planning**

**Smart Historic Preservation**

**Smart Growth**



**CLG Grant Application**



**State of New Jersey**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Bradley M. Campbell**  
**Commissioner**



**NATURAL & HISTORIC RESOURCES**



**HISTORIC PRESERVATION OFFICE**

**P.O. Box 404, Trenton, New Jersey 08625-0404**  
**TEL: (609) 292-2023 FAX: (609) 984-0578**

**[www.state.nj.gov/dep/hpo](http://www.state.nj.gov/dep/hpo)**

# Historic Preservation Office

## **2004/05 Historic Preservation Fund CLG Grant Application**

### **Category 1 - No Local Match Required**

The Historic Preservation Office (HPO) wants to work with you to promote the preservation of historic resources in your community. Are you aware that as a Certified Local Government your community is afforded the opportunity to apply for a Historic Preservation Fund grant? There are currently 36 Certified Local Governments in New Jersey eligible to apply for grant funds. All Applicants are encouraged to develop a preliminary application and contact Genny Guzman to schedule a grant workshop. At the workshop, the HPO professional staff will provide all Applicants with technical assistance tailored to their particular projects.

**Submission Deadline April 1, 2005**

### **I. Introduction**

The New Jersey Department of Environmental Protection, Natural & Historic Resources, Historic Preservation Office (HPO) is soliciting submission of one year (12 month), Historic Preservation Fund grant applications for eligible historic preservation projects. The deadline for submission of all Historic Preservation Fund grant applications to the HPO is April 1, 2005. The schedule for the processing of all fiscal year (FY) 2004/05 grant applications is provided as Appendix A.

All grants must be scheduled and completed within a 12 month period, typically October 1, 2004 through September 30, 2005. The HPO will commit funds to the project (contingent upon HPO's ability to offset local matching share and availability of federal funds) for a period not to exceed 12 months.

The maximum individual grant award will be \$23,000 and the minimum award is \$3,000. All grants are awarded contingent upon the availability of federal funds. The HPO award one (1) grant for CLG Model Community, one (1) grant for HPC Technical Assistance, two (2) grants for CLG Training or a single combined grant for all three (3) activities.

Applicants are not required to provide local matching share for all eligible costs. Grant awards will be made to the Applicants whose proposals meet the established funding priorities and are the most advantageous to the Historic Preservation Office, cost, and other factors considered.

### **A. Statement of Purpose**

The HPO is responsible for promoting historic preservation in New Jersey in accordance with the New Jersey Register of Historic Places Act and the National Historic Preservation Act of 1966, as amended. This Act authorizes the Secretary of the Interior, through the National Park Service (NPS), to grant Historic Preservation Funds (HPF) to states for the purpose of promoting historic preservation projects such as historic resource surveys and historic preservation plans. The goals for the Historic Preservation Fund grant projects are:

- to identify all buildings, sites, structures, objects and districts which are significant in American historic, architecture, archaeology and engineering, and which meet the criteria for inclusion in the National Register of Historic Places;
- to design and implement planning tools for the protection of these resources.

### **B. Limited Project Eligibility**

The funds will be used to provide newly formed historic preservation commissions, or entrants into the CLG program, with professional services. The professional services will be provided over a 12 month period and focused on enhancing communication with applicants and residents as well as provide planning reports/guidance on applications.

1. CLG Model Community grant up to **\$3,000**. The HPO is seeking communities willing to sponsor a CLG consultation booth and exhibit at the Annual New Jersey League of Municipalities Conference held at the Atlantic City Convention Center in November of each year. The HPO will

actively participate with the Grantee in the planning and coordination of this activity. The Applicant must demonstrate in an exhibit how they have actively participated in the CLG program. Printed materials highlighting the local historic preservation program and its successes will be required. The HPO will work with the community to develop and print handouts. This is the perfect venue for your community to promote their historic preservation initiatives in a statewide forum. For further information, contact the HPO at (609) 984-0176.

2. HPC Technical Assistance grant up to **\$12,000**. The goal of this project is to ensure efficient and effective administration of the municipal historic preservation ordinance. Grant funds will be used to retain on a part-time basis, a qualified preservation consultant who will provide technical and administrative assistance to the municipal historic preservation commission and to applicants to the commission. The preservation consultant will be available to give the public advice and instructions on preparing technically complete and accurate Certificate of Appropriateness applications, provide written recommendations on each application, advise the commission in evaluating the appropriate preservation treatment of designated properties, and assist the commission in processing and reviewing applications for new construction, rehabilitation, renovation or demolition of historic properties subject to the provisions of the local historic preservation ordinance. The HPO will only fund this activity for a maximum period of 24 months.
3. Two (2) CLG training grants up to **\$4,000 each**. The HPO will actively participate with the Grantee in the planning and coordination of the workshop. The Applicant will be required to incorporate one (1) of the following topics into their historic preservation training workshop:
  - Municipal Land Use Law (MLUL) with Amendments;
  - New Jersey Development and Redevelopment Plan;
  - Public benefits of historic preservation;

- Links between historic preservation and other environmental protection activities;
- Relations between Historic Preservation Commissions and Planning and Zoning Boards;
- Inter-Municipal Historic Preservation protection/zoning;
- Economic benefits of historic preservation;
- The duties and responsibilities of the historic preservation commission;
- Secretary of the Interior's Standards
- New Jersey and National Registers vs local designation;
- Design Guidelines and building maintenance.

The Applicant must propose a workshop that will benefit a majority of CLG Historic Preservation Commission members. Host community officials including the governing body, planning and zoning boards are strongly encouraged to attend the workshop.

### **C. Application Procedure**

Five (5) signed and dated copies (one (1) with original signatures) of the FY 2004/05 Historic Preservation Fund CLG grant application must be received (stamped and dated) by the Historic Preservation Office on or before 12:00 PM on April 1, 2005 at the:

**HISTORIC PRESERVATION OFFICE  
4th FLOOR, ROOM 4E29  
PO BOX 404,  
501 EAST STATE STREET  
TRENTON, NJ 08625-0404**

There will be no extensions of the above deadline. HPO will acknowledge receipt of all applications upon request. The HPO reserves the right to return, without action, all applications that are incomplete or received after the grant deadline.

### **D. Eligible Applicants**

Eligible applicants are all local governments certified by the HPO and National Park Service on or before **January 1, 2005**.

Eligible applicants must provide contract professional or salaried grant administration. When applicable, volunteer roles must be clearly identified and cannot impede grant administration or product development.

Eligible Applicants are local governments that have submitted their Historic Preservation Commissions annual report for the last calendar year in accordance with the CLG Program Guidelines. These requirements do not apply to communities that were not certified or required to submit annual reports.

All Applicants must demonstrate their ability to meet deadlines, monitor project work, and have a financial accounting system that meets the State and federal program requirements.

### **E. General Program Requirements**

All Historic Preservation Fund grant Recipients shall:

1. Be considered Grantees of the State, and therefore, adhere to all applicable federal, state and local laws, regulations and guidelines. The Grantee must also comply with the requirements of National Register Programs Guideline (NPS-49) and HPO, Administrative and Procedural Guidelines for Recipients of Historic Preservation Survey and Planning Grants, and Certified Local Government Grants, Appendix D.
2. Adhere to any requirements mandated by Congress pertaining to the use of Historic Preservation Funds.
3. Not apply monies from this grant to match any other federal grants.
4. Prior to the initiation of any work, enter into a formal Grant Agreement (DEP-069G) with the HPO which clearly identifies the responsibilities of each party.
5. Ensure that the Grantees Project Coordinator/Administrator will attend the mandatory HPO grant workshop prior to the start-up of the project.

**Note:** Historic preservation fund grants are reimbursable grants. The grantee must be prepared to expend and document the total project cost before receiving final payment. Interim

reimbursements may be incorporated into the grant agreement and must be tied to deliverables.

### **E. Prohibition of Discrimination**

These programs receive federal financial assistance for the identification and preservation of historic properties. The U. S. Department of the Interior prohibits discrimination based on age, race, color, creed, sex, national origin or handicap. If you believe you have been discriminated against in any program, activity or facility in this program, or if you desire information, please write to:

**Office of Equal Opportunity  
National Park Service  
1849 C. Street N.W. (NC 200)  
Washington, DC 20240**

**Note:** The applicant must address all of the G. 1 and G. 2 criteria listed below. Applicants are strongly advised to avoid simple restatement of the criteria as an acceptable means of response. The HPO expects all applicants to provide a detailed explanation or demonstration of how the project will meet each of the criteria. Points will not be awarded to projects which simply restate the goals and objectives of the State Plan or New Jersey Historic Preservation Plan or any other source documents referenced in the HPF-application. The maximum number of points for a grant application is 105.

### **G.1 General Criteria for Evaluating Certified Local Government Program Grant Applications**

1. The project has demonstrated that it will promote the preservation of historic resources, **Smart Growth** and open space in urban centers as defined in the New Jersey State Development and Redevelopment Plan. **(10 Points)**
2. Project demonstrates consistency with the goals and objectives, **Smart Growth** of the New Jersey State Development/Redevelopment Plan and where appropriate the Municipal Land Use Law. **(Points 0-10)**
3. Projects advancement of the goals and objectives of the New Jersey Historic

Preservation Plan (Appendix C). Applicants must identify and cross-reference the goals and actions from the New Jersey Historic Preservation Plan and explain how the proposed project will accomplish each. **(points 0 or 5)**

4. The applicant has fully developed its goals and objectives for the grant assisted project, including benefits to the community and/or region, in a clear, concise and detailed manner. The project methodology and expectations are adequately described enabling the HPO to fully understand the need to provide grant assistance. The Applicant has demonstrated support exists for the project at the local, county, state or national level. **(points 0-20)**
5. The Applicant has adequately described all products, services, deliverables in a clear, concise and detailed manner. All products and deliverables to be turned over to the HPO and those to be retained by the applicant are disclosed. The Applicant has provided information on the level of professional expertise and effort necessary to develop and complete the grant products. For publications, the Applicant has provided draft text and mock-ups of all publications as well as a plan for their use and distribution. **(points 0-20)**

## **G. 2 Criteria for Evaluating Historic Preservation Fund Grant Administration**

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1. Applicant provides resume, job description and salary information for all personnel and demonstrates that qualified paid or salaried personnel will be assigned to administer the project. **(points 0 - 20)**

**Note:** The failure on the part of the applicant to address G2 Item 1 will result in rejection of the application. Volunteers may not under any circumstance administer CLG grants.

2. Applicant provides evidence that the project budget has been constructed based on clearly defined reasonable assumptions and market analysis. The budget is appropriate to the scope of the project. **(points 0 - 20)**

## **H. HPO Funding Priorities for FY 2004/05**

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The following funding priorities have been established for the Certified Local Government (CLG) Program.

- The Historic Preservation Office reserves the right to make funding recommendations based not only on individual point score but also on considerations 1) equal regional distribution, 2) new vs continuing projects, 3) first time qualified applicants over those that have had multiple grants, 4) training priorities, and 5) past performance in grant administration, including adherence to deadlines and reporting.
- HPC Technical Assistance Grants will only be awarded to CLG communities that have not received similar assistance under prior year grant awards.
- Priority shall be given to CLG communities that have newly established Historic Preservation Commissions in urban centers.

## **II. GRANT SELECTION PROCESS**

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1. All HPF grant applications received by the established deadline shall be reviewed for completeness by the HPO. The HPO shall use the checklist provided as Item 17 to document the technical completeness of each application. The completed checklist shall be maintained on file for audit and public inspection.
2. All HPF grant applications received by the HPO after the established deadline will be returned to the Applicant without further action. The HPO reserves the right to return all technically incomplete applications to the Applicant with a letter of explanation and without further consideration. Any application not containing a signed, dated and sealed (original or certified copy) Governing Body Resolution (Appendix E) will automatically be determined incomplete.
3. All HPF grant applications determined to be complete will be reviewed by the Grant application Review Committee comprised

of five members: two (2) HPO staff members, and three (3) individuals experienced in historic preservation on the local, State or federal level.

4. The HPO shall prepare a written summation of the Grant application Review Committee ranking for each project. The summation and HPO recommendations will be transmitted to the Deputy State Historic Preservation Officer for review and final project selection.
5. After selection has been finalized, the HPO shall prepare award letters and notices of rejection.
6. After grant awards are issued and the selection process is completed, the HPO shall contact each Award Recipient by telephone and fax to negotiate the final project budget and scope-of-work. The focus of these negotiations is to ensure that the Recipient project (scope, schedule, and budget) are concisely defined for the grant agreement. This negotiation process will ensure that the project satisfies the goals, objectives and intent of the Recipient, but also meets all the appropriate state and federal historic preservation program guidelines, standards, and project requirements.

### **III. INSTRUCTIONS FOR COMPLETING GRANT APPLICATION**

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#### **MANDATORY CATEGORY SELECTION**

Applicants must select a grant category. Each CLG applicant is eligible to submit one (1) grant application from each Category. CLG communities are advised to select the categories that best meet their funding needs and may result in a positive outcome.

#### **ITEM 1: NAME OF APPLICANT**

Self-explanatory

#### **ITEM 2: CERTIFICATION**

The signature must be that of the Mayor or official designated in the Governing Body Resolution. The Applicant must attach a Governing Body Resolution authorizing submission of the applica-

tion. A sample Governing Body Resolution is attached as Appendix E. The resolution submitted by the Applicant must follow the format provided in Appendix E. Failure of the Applicant to include the Governing Body Resolution will result in immediate rejection of the application as incomplete.

#### **ITEM 3: PROJECT TITLE**

It is important to use a project title that is succinct and completely fits in the space provided.

#### **ITEM 4: PROJECT IMPACT**

Please indicate in the space provided, the anticipated impact of the project. Applicants must support their claims in the Detailed Project Description section, Item 9.

#### **ITEM 5: TYPE OF PROJECT**

Please indicate in the space provided, whether the project conforms to one or more of the following descriptions. The Applicant must demonstrate how its project meets each category, in the Detailed Project Description section, Item 9. All Applicants must check - Other (explanation required).

#### **ITEM 6: BUDGET**

The Applicant is advised to carefully read the Administrative and Procedural Guidelines for Recipients of Historic Preservation Survey and Planning Grants and Certified Local Government Grants (Appendix D) before proceeding with budget preparation. If you have any questions after reading the Guidelines, contact the HPO.

The HPO will commit funds based on availability and timing of our federal grants. Failure by the Grantee to expend the funds in accordance with the budget and schedule will result in a reduction of the total grant award based on the NPS "use it or lose it" policy NPS-49.

Use the, "Total Project Budget" to indicate the total dollar amount requested for each item in the project budget.

#### **ITEM 7: BUDGET JUSTIFICATION**

Referring to the budget sheet, explain the need for each item appearing in the project budget. In addition, a justification must be provided for all contractual services that are part of the project budget. The following information is provided to aid the Applicant in the preparation of the budget justification:

**Administrative Costs:** The costs associated with the administration of these grants are not eligible for reimbursement. However, all Historic Preservation Fund grant projects require a Project Coordinator. The Coordinator (paid professional or salaried municipal employee) will be the single point liaison with HPO and with project professionals and will obtain, coordinate and submit reports, authorize signatures, and prepare financial documentation and other project information.

**Expendable Office Supplies:** Supplies are eligible as project costs if they meet the requirements and are documented in accordance with the Administrative and Procedural Guidelines. . . (Appendix D). These supplies shall not have a useful life beyond the active grant period. No equipment may be purchased for grant assisted projects. The exception to this rule is the procurement of computer software to meet HPO historic resource survey requirements. List only the major items or categories of office supplies, film, maps, etc. , which will be required to complete the grant assisted project.

**Lump Sum Consultant Contracts:** Preservation professionals must meet applicable federal qualification standards. For additional information on contracting, refer to the Administrative and Procedural Guidelines..., Section V, Fiscal (Appendix D). Professionals engaged to undertake the project may be hired as consultants.

**Types of Contracts:** The types of contracts which are allowable when federal funds are involved include cost reimbursement contracts, firm fixed-price contracts, fixed-price incentive contracts, or cost-plus-a-fixed-fee contracts. Other types of special contracts may be acceptable, depending upon the individual circumstances. Please note that cost-plus-a-percentage-of-cost, and percentage-of-construction-cost contracts cannot be used.

**Selection Procedures:** All procurement transactions, regardless of whether by sealed bids or by negotiation, and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition consistent with the Administrative and Procedural Guidelines for Recipients of Survey and Planning Grants and Certified Local Government Grants.

**Note:** Project consultants and professionals must be selected in accordance with local, state and federal laws and regulations.

**Program Income:** The Applicant must address the issue of program income, generated by the federally assisted project during the active grant period. The HPO will require the following information regarding program income: - Total dollars expected to be generated during the active grant period. - Source of funds (registration fee, publication sale, etc. - What does the Applicant propose to do with these funds to further project goals.

## **ITEM 8: PROJECT SELECTION CRITERIA.**

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Provide a detailed written explanation of how the project will meet the G.1 Criteria for Evaluating Certified Local Government Program Grant Application, G.2 Criteria for Evaluating Historic Preservation Fund Grant Administration and the applicable HPO Funding Priorities. The Grant Application Review Committee will use the criteria in Section G.1 and the HPO Funding Priorities in Section H to evaluate the grant applications. Generally, the greater the number of criteria and priorities met by the proposed project, the higher the grant application will rank.

**THE APPLICANT MUST ADDRESS ALL OF THE G.1 AND G.2 CRITERIA. APPLICANTS ARE STRONGLY ADVISED TO AVOID SIMPLE RESTATEMENT OF THE CRITERIA. THE HPO EXPECTS ALL APPLICANTS TO PROVIDE A DETAILED EXPLANATION OR DEMONSTRATION OF HOW THE PROJECT WILL MEET EACH OF THE CRITERIA. POINTS WILL NOT BE AWARDED TO PROJECTS WHICH SIMPLY RESTATE THE GOALS AND OBJECTIVES OF THE STATE PLAN OR HISTORIC PRESERVATION OFFICE PLAN OR ANY OTHER SOURCE DOCUMENTS REFERENCED IN THE GRANT APPLICATION.**

## **ITEM 9: PROJECT DESCRIPTION**

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Provide a full written narrative of the specific goals and objectives of the project. Include in the narrative an explanation of how each of the goals and objectives of the project will be met. In addition, explain how the project goals and objectives relate to past and current preservation activity and priorities in the project area.

In this portion of the application, the Applicant must provide a full narrative project description. Define the personnel working on each phase, what they will be doing, and their relationship to specific project goals. Provide a detailed and product specific explanation of the methodology to be used in each phase. Clearly describe how the results of the project will be incorporated into the local planning



process, and the extent to which the results will be made available to and used by the general public at the local, county or state level. Describe the relationship of the project to other local planning and/or environmental protection activities. Applicants are encouraged to provide visual aids, photos and maps to supplement project descriptions.

#### **ITEM 10: LIST AND DESCRIPTION OF FINAL PRODUCTS**

The Applicant will be required to provide a detailed description of each grant funded product. All products must be fully explained. Typically this section will estimate the number of reviews, number of reports, number of meetings, number of site inspections to be conducted. Applicants must provide the HPO with a breakdown for each product, indicating the quantity to be turned over to the HPO and quantity to be retained by the Applicant.

#### **ITEM 11: PROJECT SCHEDULE**

Outline the proposed time-frame and schedule for accomplishing project goals and objectives, broken down by phase. Indicate proposed start and end dates. The Applicant's schedule may not exceed 12 months.

#### **ITEMS 12-15:**

These sections should be signed and dated by the Mayor or official designated in the Governing Body Resolution (Appendix E) and Chief Financial Officer. If you have questions, please call HPO.

#### **ITEM 16: STATEMENT OF ADEQUACY OF ACCOUNTING SYSTEM**

This section must be completed, signed and dated by the Applicant's Chief Financial Officer.

#### **ITEM 17: Checklist for a Complete Application**

Self-explanatory. Each copy of the application must contain a copy of the completed checklist.

#### **Item 18: Governing Body Resolution**

A Governing Body Resolution authorizing the filing of the application (and any resulting grant agreements), identifying the Mayor and/or Designee must be provided. The Attorney General and the Department of Environmental Protection require that all Governing Body Resolutions be presented in the format provided in Appendix E. The signatures of the Mayor and the Clerk, as well as the municipal raised seal and certification attesting to the authenticity of the resolution, must appear on the resolution. Failure to submit a resolution, as part of the application package, in the required format may result in immediate rejection of the application as incomplete.



# Appendix A

**NOT WITHSTANDING ANYTHING TO THE CONTRARY, THE FOLLOWING SCHEDULE WILL BE IN EFFECT FOR AN FY 2004/05 HISTORIC PRESERVATION FUND CLG GRANTS. THIS SCHEDULE IS PROVIDED AS A GUIDE TO THE APPLICANT AND THE TARGET COMPLETION DATES ARE SUBJECT TO CHANGE.**

|           |                 |  |
|-----------|-----------------|--|
| <b>A.</b> | <b>11/01/04</b> | Grant applications available.  |
| <b>B.</b> | <b>OPEN</b>     | HPO will schedule grant application workshops at the request of applicants to deal with project specific issues.   |
| <b>C.</b> | <b>4/1/05</b>   | Deadlines for submission (12:00 P.M.) of all CLG grant applications to the HPO, 5 Station Plaza, 4th floor, 501 East State Street, Trenton, 08625.                     |
| <b>D.</b> | <b>June</b>     | Grant award letters are mailed.  |
| <b>E.</b> | <b>9/30/05</b>  | DEP-069G Grant Agreements are executed and one (1) copy is returned to the Grantee.  |
| <b>F.</b> | <b>10/1/05</b>  | Project start date for all grant is contingent upon the federal funding cycle. Grants may start after the date indicated based on timing of the federal appropriation. |



# Appendix B

## **Professional Qualifications Standards**

The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation registration, and treatment activities. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

**1. History.** The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:

- a. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historical organization or agency, museum, or other professional institution; or
- b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

**2. Archeology.** The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

- a. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration, or management;
- b. At least four months of supervised field and analytic experience in general North-American archeology, and
- c. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

**3. Architectural History.** The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history; or a bachelor's degree in architectural history, art history, historic preservation, or closely related field plus one of the following:

- a. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
- b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

**4. Architecture.** The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time professional experience in architecture; or a State license to practice architecture.

**5. Historic Architecture.** The minimum professional qualifications in historic architecture are a professional degree in architecture or State license to practice architecture, plus one of the following:

- a. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
- b. At least one year of full-time professional experience on historic preservation projects. Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

**Note:** The Historic Preservation Office of New Jersey maintains a list of consultants who may meet the federal qualifications standards. Many of these consultants have worked on projects involving this office, and all have work samples on file at the Historic Preservation Office. If a Subgrantee requests assistance, the Historic Preservation Office will review the professional's qualifications against the federal standards.



# Appendix C

**Note:** The following goals and actions are excerpts from New Jersey Partners for Preservation: A Blueprint for Building Historic Preservation into New Jersey's Future. This document is also referred to as the **New Jersey Historic Preservation Plan** and the goals cited will be in affect from 2002 to 2007.

## **Introduction**

The vision we have set for historic preservation is a bold one. It calls for historic preservation to play a major role in physical design, economic health, and quality of life in New Jersey communities for generations to come. While New Jersey has many preservation successes to be proud of, much work remains to be done to realize our vision. The following set of goals and actions are designed to build on our successes and carry preservation planning, activities and funding in New Jersey to a new level. These goals and actions were developed with the help of all of the individuals and organizations that participated in the planning process. They are meant as a starting point for historic preservation activity and can serve as a stimulus for other creative initiatives that may emerge to advance the vision and goals contained in this plan.

New Jersey's historic houses, main streets, and neighborhoods are what give our state and its communities their special character. While we are coming to recognize the value of mixed use, pedestrian friendly environments when we design new communities, we often lose sight of the fact that these qualities have characterized our historic cities and towns for generations. The New Jersey State Development and Redevelopment Plan, approved in March, 2001, lays the groundwork for the state and its municipalities to work together to build preservation values into the growth and development of New Jersey's communities. The State Plan calls for the identification, protection, and enhancement of historic, cultural, and scenic resources in existing cities and towns and encourages new town centers that emulate the most attractive features of traditional New Jersey towns. Citizens told us New Jersey should make integrating preservation into local and regional planning and decision-making

one of our highest priorities.

### **Goal #1:**

Make historic preservation an integral part of local and regional planning and decision-making to enhance the attractiveness and quality of life in New Jersey communities

### **Actions:**

1. Increase the number of municipal governments that have historic preservation elements in their master plans and preservation ordinances to implement those plans.
2. Continue to develop and update municipal and county historic resource surveys, giving priority to areas under major threat and where local governments have a strong partnership interest.
3. Increase the number of localities that participate in the Certified Local Government Program and continue to strengthen the effectiveness of that program.
4. Promote regional planning activities that incorporate historic preservation into broad regional planning goals.
5. Develop changes in the Municipal Land Use Law to ensure that municipalities have the tools necessary to preserve historic resources as part of the overall planning and development process.

### **Goal #2:**

Use historic preservation as a catalyst to strengthen New Jersey's state and local economies

### **Actions:**

1. Increase the number of communities participating in Main Street New Jersey to revitalize downtowns and urban neighborhood commercial areas.

2. Build on the state's wealth of heritage tourism opportunities, working with a wide range of partners at the local, state, and national levels.
3. Promote urban redevelopment approaches that respect and build on the historic character of existing buildings, neighborhoods, and commercial centers.
4. Increase awareness and use of the State's award-winning Rehabilitation Sub-code.
5. Sustain efforts to make historic preservation regulatory review processes as efficient as possible at the local and State levels to allow projects to move forward in a timely manner without sacrificing the integrity of preservation review processes.

### **Goal #3:**

Expand understanding and appreciation of history and historic preservation among New Jersey citizens, elected officials, students, and organizations across the state

### **Actions:**

1. Increase the visibility of historic preservation by highlighting success stories, attracting media attention to preservation issues, and increasing involvement in preservation related activities.
2. Promote expansion of interpretive activities at publicly and privately operated historic sites to tell a fuller story of New Jersey's rich and complex history.
3. Continue to build a statewide preservation non-profit network to strengthen advocacy and outreach across the state.
4. Provide conferences, workshops and training materials to help municipal officials, non-profits and local citizens carry out local preservation responsibilities.
5. Seek to have an historic preservation component included in the core curriculum standards and assessments mandated by the New Jersey Department of Education, and provide historic preservation curriculum materials for use by teachers and students.

6. Nurture the development of future preservation professionals.
7. Strengthen communication and cooperation among state-level history and preservation agencies and organizations to maximize effectiveness.

### **Goal #4:**

Become a national leader in stewardship of publicly owned historic and cultural resources.

### **Actions:**

1. Develop an inventory of all state owned historic properties and strategies for the preservation and productive use of these properties.
2. Identify and protect publicly owned historic properties at the local level to keep them in productive use.
3. Stabilize and restore buildings on the New Jersey side of Ellis Island to complete the preservation and use of one of our nation's most important historic sites.
4. Develop public-private partnership models to show how historic properties acquired through the State's open space acquisition programs can be preserved, used or sold with permanent protections in place.

### **Goal #5:**

Provide the financial resources and incentives necessary to advance historic preservation in New Jersey

### **Actions:**

1. Expand all funding and use of economic incentives available in New Jersey to support historic preservation.
2. Develop state-level financial incentives to promote the rehabilitation of privately owned commercial and residential historic properties.
3. Encourage more local governments to adopt financial incentives to encourage preservation and rehabilitation of historic properties.



- 4.** Allocate additional resources to develop a statewide inventory of historic resources that is integrated into the larger state Geographic Information System.
- 5.** Expand support for preservation planning and technical assistance services at the local level.
- 6.** Identify dedicated sources of revenue to support the stabilization, restoration, interpretation and re-use of state owned historic properties.
- 7.** Identify a stable source of funding to support enhanced interpretation at privately owned historic sites.
- 8.** Develop a legislative agenda on a biennial basis to advance the resource development and other portions of this plan that require legislative action.



# Appendix D

## **Administrative and Procedural Guidelines for Recipients of Historic Preservation Survey and Planning Grants and Certified Local Government Grants - Category 1**

These Guidelines have been prepared to assist Recipients, hereafter referred to as the Grantee, of the Department of the Interior, National Park Service (NPS) Historic Preservation Fund Grants-in-Aid for survey, planning and historic preservation education projects to successfully complete their contractual obligations with the State of New Jersey, Department of Environmental Protection, Historic Preservation Office (HPO). This document is a compilation of requirements established by the HPO and a condensation of relevant information from the NPS, National Register Programs Guideline (NPS-49), and the applicable federal and State laws and regulations. For a more detailed understanding of federal regulations, the Grantee is encouraged to carefully review this document. If you have questions, request clarification from the HPO before filing a grant application.

These Guidelines may be amended at any time to accommodate new regulations and reinterpretations of existing regulations made by the NPS and the HPO. HPO will notify, all Grantees of any changes to these Guidelines.

### **I. Staff Requirements**

There are three areas of special concern to the HPO with regard to professional staffing, they are: 1) Project Administration; 2) Project Professional Staff or Consultant Services; 3) Non-professional staff.

#### **1) Project Administration**

All Grantees must be prepared to provide reasonable assurance that an adequately trained and competent project coordinator and chief financial officer will be available during the active period of the grant. The project coordinator shall mean the paid

professionabr salaried employee who is the point of contact for the grant and who will administer, supervise and coordinate the grant project. The chief financial officer shall mean the individual or employee designated to control and coordinate fiscal administration of the grant. Whether full or part-time this individual must have adequate training and authority to insure that the grant can be carried out with a minimum of difficulties and that funds are properly documented and disbursed in accordance with Federal and State guidelines. This individual must coordinate all grant fiscal activities and be identified, by name, in the Statement Of Adequacy of Accounting System (filed with the grant application) and the DEP-069G, Grant Agreement. Grantees will not be permitted to delegate grant administration to volunteers, in any capacity.

#### **2) Project Professional Staff or Consultant Services**

The services of staff members or consultants working on Historic Preservation Fund (HPF) grant products must meet the minimum Standards established by 36 CFR Part 61. The HPO must approve in writing all Grantee staff and/or consultants working on HPF grant assisted products prior to the expenditure of any project funds. If during the course of the active grant, the Grantee finds it necessary to change and/or commit additional staff to the project product, prior written notification must be received by the HPO.

#### **3) Non-Professional Staff**

All persons working on grant assisted activities or products who do not meet the minimum standards established by the National Park Service, must work directly under the supervision of someone meeting the professional requirements. The Grantee will be required to provide a list of the names of all non-professional staff or employees and the name of their direct supervisor as well as a description of their individual work assignments.

## **II. Information Required for Project Initiation**

The following information and approvals must be on file with the HPO before written authorization to proceed with work on the grant assisted program or activity can be issued.

- Complete, signed and dated Grant Application.
- Department of Environmental Protection grant award letter signed by the State Historic Preservation Officer (SHPO) or Deputy SHPO.
- Fully executed Grant Agreement (DEP-069G) or DEP-076 Amendment between the DEP and the Grantee.
- Project Coordinator's attendance at the mandatory HPO grant workshop.

## **III. Scope of Work:**

The Grantee must refer to the DEP-069G, Grant Agreement, Attachments B-1, C, D and D-1 for all information regarding the Budget, Reporting, Purpose, Product, Schedule and General Conditions.

## **IV. REPORTING REQUIREMENTS:**

### **A. Interim Expenditure Reports**

The Grantee (professional and/or administrative personnel) shall be available for meetings or field inspections with HPO staff. The Grantee shall submit a minimum of one (1) Interim Report to the HPO on the date specified in the DEP-069G, Grant Agreement, Attachment D, Schedule. This report must be submitted utilizing the HPO approved format provided in the DEP-069G, Grant Agreement, Attachment C. The Grantee will be provided with samples and instruction in report preparation at the HPO grant workshop. This workshop will be scheduled prior to the start of the project.

**Note:** The HPO has specific procedures for amendments to proposed work and/or budget, and these procedures are provided in the DEP-069G, Grant Agreement, General Terms and

Conditions, Section XVI, Agreement Amendment and Attachment A, Section XII, Modification, Item F. If during the course of your project, it becomes apparent the proposed scope of work and/or cost of the project need to be revised, please contact the HPO immediately. Grantees are encouraged to contact the HPO whenever any delays or problems develop which affect the project close-out in accordance with the Grant Agreement schedule. **Time is of the essence with respect to all deadlines established in the Grant Agreement.**

### **B. Final Expenditure Reports**

Final Expenditure Reports must be submitted to the HPO by the deadline established in the DEP-069G, Grant Agreement, Attachment D, Schedule. These reports must be submitted in the format provided in the Grant Agreement, Attachment C. The reports must provide a brief description of all grant products and a final budget reconciliation. The Grantee will be given samples and instruction on the preparation of the Final Expenditure Report at the HPO grant workshop.

### **C. Final Product Requirements**

Final products must be submitted to the HPO in accordance with the DEP-069G, Grant Agreement, Attachment D, Schedule. In addition, the product(s) must meet all the requirements and standards set forth in the DEP-069G, Grant Agreement, Attachment(s) D and D-1.

## **V FISCAL ADMINISTRATION:**

All Grantees must assure the HPO that financial management personnel are adequately trained and competent to administer the grant. All fiscal personnel are encouraged to attend the HPO grant workshop.

### **A. Financial Management System**

All Grantees must maintain a financial management system that meets the criteria set forth in the Statement of Adequacy of Accounting System and provides for:

- 1) Accurate, current, and complete disclosure of the financial results of each project grant.

- 2) Records which identify adequately the source and intended use of funds for grant-supported activities. These records shall contain the grant award letters and project notifications, authorizations, account obligations, unobligated account balances, financial and tangible assets, liabilities, outlays, and project income.
- 3) Effective control and accountability for all funds, property, and other assets. Grantees shall adequately safeguard all such assets and shall ensure that they are used solely for authorized purposes.
- 4) Comparison of actual outlays with budgeted amounts for each grant and any other agreements specifically related to the project. Financial information should be related to performance cost principles, regulations, and terms of the grant agreement.
- 5) Accounting records which are supported by source documentation. Separate project records shall be established for each grant. Audits may be required by the HPO. Such audits shall be made by qualified individuals who are sufficiently independent of the grantee organization to produce unbiased conclusions. Audits are considered an allowable project cost as long as they conform to NPS audit standards.
- 6) When possible, the Grantee should plan to establish a special checking account for the project so that an exact itemization of project expenditures can be submitted by check number along with copies of cancelled checks and itemized invoices.
- 7) The Grantee must provide the HPO with all the information outlined in the DEP-069G, Grant Agreement, Attachment D-1, Procurement Checklist.

## **B. Procurement Procedures**

The Grantee must comply with the federal procurement guidelines for goods and services as set forth in 43 CFR 12, OMB Circular A-102, Attachment 0, National Register Programs Guideline (NPS-49) and with all applicable State and local laws and regulations.

**Note:** Failure to comply with the following procurement regulations shall be cause for suspension or termination of the grant in accordance with the DEP-069G

## **C. General Guidelines**

### **Debarment and Suspension**

The Grantee shall comply with Executive Order 12549 as implemented in the United States Department of the Interior regulation, 43 CFR 12.100 through 12.510, Subpart-D-Government-wide Debarment and Suspension (Nonprocurement). Organizations and individuals suspended or barred from doing business are listed in Lists of Parties Excluded from Federal Procurement or nonprocurement Programs. A telephone inquiry answering service is available in the General Service Administration's Office of Acquisition Policy for general questions about entries in the Lists of Parties. The number to call either during or after normal business hours is (202) 786-0688.

### **Types of Contracts**

Although cost reimbursement contracts, fixed-price incentive contracts, and cost-plus-a-fixed-fee contracts are allowable when Federal funds are involved, the HPO prefers the use of the firm fixed price contracts for all grant related procurements. Other types of special contracts may be acceptable, depending upon the individual circumstances. However, cost-plus-a-percentage of-cost and percentage of-construction-cost contracts may not be used under any circumstances, and costs incurred under these types of contracts will not be eligible for reimbursement.

### **Required Documentation**

As part of the procurement process Grantees will be required to retain the following documentation outlined in the Grant Agreement, Attachment D-1.

- Copies of all rejection letters
- Resolution of Acceptance
- Brief statement justifying the selection made
- Copy of executed contract awarded

### **Contract Approval**

The HPO must receive a Subcontractors Certification, Attachment F in the DEP-069G,

Grant Agreement prior to their final execution of any professional services contract or agreement.

### **Optional Documentation**

Grantees should also maintain any other documentation which might be useful to an auditor in verifying the propriety of procedures used and compliance with Federal and State regulations.

### **D. Selection Procedures**

All procurement transactions, regardless of whether by telephone quotation, sealed bids, formal advertising or by negotiation, and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition consistent with this section. Procurement procedures shall not restrict or eliminate competition and should provide for participation in the process by minority Business Enterprises and Women Business Enterprises. Examples of what are considered to be restrictive of competition include, but are not limited to: (1) placing unreasonable requirements on firms in order for them to qualify to do business, (2) noncompetitive practices between firms, (3) organizational conflicts of interest, and (4) unnecessary experience and bonding requirements.

The Grantee shall have written selection procedures which include, at a minimum, the following selection requirements:

**A. Solicitations of offers, whether by competitive sealed bids or competitive negotiation, shall:**

- 1)** incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which they

must conform if they are to satisfy their intended use. Detailed product specifications should avoid the use of specific brand names. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.

- 2)** Clearly set forth all requirements which offerors must fulfill and all other factors to be used in evaluating bids or proposals, such as a deadline for completion of project work.
- B.** Contract awards shall be made only to responsible contractors who possess the potential ability to perform successfully under the terms and conditions of proposed procurement. Consideration shall be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. (Note: evidence of default, adverse record of past performance, or related factors are necessary to demonstrate lack of responsibility).
- C.** Contract awards shall not normally be made to a contractor or professional who has developed or has drafted bid specifications, requirements, a statement of work, an invitation for bids, and/or a request for proposals for a particular procurement. Only when the formal advertising does not result in any acceptable bids may the Grantee negotiate with any available contractor, including the contractor who produced the bid requirements.

## **E. Methods of Procurement**

Procurement under Historic Preservation Fund (HPF) grants shall be made by one of the following methods: 1) small purchase procedures; 2) competitive sealed bids (formal advertising) competitive negotiation; 4) noncompetitive negotiation.

### **Small Purchase Procedures**

Small purchase procedures are simple, methods used for a procurement of services or supplies costing in the aggregate not more than \$500. Grantees shall comply with Federal, State and local small purchase dollar limits. If small purchase procedures are used for a procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources to assure competition.

### **Competitive Sealed Bids**

In competitive sealed bids (formal advertising), sealed bids are publicly solicited, and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the product specifications, terms and conditions of the invitation for bids, is lowest in price and is most advantageous to the grantee, considering price, discounts, transportation costs, taxes, and the contractor's ability to fulfill the contract.

a. In order for formal advertising to be successful, appropriate conditions must be met, including, at a minimum, the following:

- A complete, adequate and realistic specification or purchase description is available, which avoids unnecessarily restrictive specifications or requirements which might unduly limit the number of bidders.
- Three (3) or more responsible suppliers are willing and able to compete effectively for the Grantee's business.
- The procurement lends itself to a firm fixed-price contract, and selection of the successful bidder can appropriately be made principally on the basis of price.

b. If formal advertising is used for a procurement under a grant, the following requirements shall apply:

- A sufficient time prior to the date set for opening of bids, bids shall be solicited from an adequate number (three (3) or more) of known suppliers. The Grantee shall allow thirty (30) calendar days for bids to be submitted by offerors. In addition, the invitation must be publicly advertised.
- The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation.
- All bids shall be opened publicly at the time and place stated in the invitation for bids.
- A firm-fixed-price contract award shall be made by written notice to the responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of the Grantee indicates that such discounts are generally taken.
- Any or all bids may be rejected when there are sound documented business reasons in the best interest of the program. If all bids are rejected as too costly, and the scope of work needs to be substantially altered, HPO written approval will be required, and the work must be re-advertised.

### **Guide to Formal Advertising**

Formal advertising, with adequate purchase descriptions, sealed bids, and public openings will be the required method of procurement unless negotiation is necessary to accomplish sound procurement. However, procurements of \$500 or less need not be formally advertised unless otherwise required by the HPO.

Formal advertising includes placing the "Invitation to Bid" in a major newspaper that covers the area affected by the project. Notices must be

published at least three (3) times. The legal notices may be published in three (3) successive issues of one (1) newspaper or one (1) time in three (3) different newspapers. Use of pre-selected bid lists, posting in public places, and publication in trade journals and magazines are legitimate steps to ensure free and open competition and reflect prudent administration of Federal funds if used in conjunction with newspaper and other mass media announcements. Minimum documentation of formal advertising for audit purposes consists of a copy of the actual advertisement(s) run in appropriate newspaper(s) with an Affidavit of Publication (proof of publication) certifying the date(s) of publication.

The formal advertisement must state that Federal funds are involved and that compliance with all applicable Federal, State, and local laws, rules and regulations is required. After all bids are received, they should be tabulated and summarized in a manner that will facilitate comparison of the relative advantages and disadvantages of each bid. In awarding contracts which include additive and deductive bid items, the award procedures should include a disclosure of the selection priority for these items. This tabulation and/or summary should be signed and dated to provide documentation as to the basis for awarding the bid. It is not always necessary to award the contract to the lowest bidder simply because it is the lowest. There may be important considerations that obviate such action, such as State or local laws and regulations which make provisions for implementation of socio-economic programs giving priority to the handicapped, small business, or minority-owned contractors. However, the justification for doing so must be adequately documented in writing. If unusual circumstances should arise surrounding the awarding of contracts, HPO should be consulted. Grantees must define the unusual circumstances using the following criteria:

- Basis for contract selection;
- Justification for lack of competition when competitive bids or offers are not obtained; and
- Basis for award cost or price.

The method of procurement chosen by a non-profit Grantee must be appropriate for the particular procurement involved and for promoting the best

interest of the HPF grant program. The “cost plus-a percentage-of-costs’ incurred under such a contract shall not be eligible costs. Procurements by non-profit Grantee’s shall be subject to audit verification.

## **Competitive Negotiation**

In competitive negotiation, proposals are requested from a number of sources and the Request for Proposal is publicized (distributed to several prospective bidders), negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed price or cost-reimbursable type contract is awarded, as appropriate. Competitive negotiation may only be used if conditions are not appropriate for the use of formal advertising. If competitive negotiation is used for a procurement under a grant, the following requirements shall apply:

- Proposals shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The Request for Proposals shall be publicized (distributed to several prospective bidders; it does not require publication) and reasonable requests by other sources to compete shall be honored to the maximum extent practicable.
- The Request for Proposals shall identify all significant evaluation factors, including price or cost where required and their relative importance.
- The Grantee shall provide mechanisms for the technical evaluation of the proposals received, determination of responsible offerors for the purpose of written or oral discussions, and selection for contract awards.
- Award may be made to the responsible offeror whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful offerors must be promptly notified, in writing, of their rejection.
- Grantees must utilize competitive negotiation procedures (or small purchase procedures for under \$500) for procurement of



architectural/engineering professional services, whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. (Resumes, references, and past work experience may be evaluated to assess professional qualifications).

## **Non-competitive Negotiation**

Non-competitive negotiation is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Non-competitive negotiation may only be used when the award of a contract is infeasible under small purchase, competitive bidding (formal advertising) or competitive negotiation procedures. Circumstances under which a contract may be awarded by non-competitive negotiation are strictly limited to the following:

- The item is available only from a single source (which is often best documented after no responses are received from a preliminary formal advertising);
- Public exigency or emergency when the urgency for the requirement will not permit a delay incident to competitive solicitation;
- NPS authorizes in writing noncompetitive negotiation because of compelling special circumstances; or
- After solicitation of a number of sources, competition is determined inadequate.

Award must be made to the responsible offeror (one who can provide the necessary capabilities, skill, and technical knowledge) whose proposal is most advantageous to the Grantee, considering price and other factors. All contractors must be approved by the HPO and must meet 36 CFR 61 Minimum Professional Qualifications Standards, if applicable.

## **E. Cost Eligibility**

The total project cost is the sum of the allowable costs, up to the grant award, incurred by the Grantee

and the values of cash or allowable in-kind contributions made by the Grantee in accomplishing the objectives of the Grant Agreement during the project period. All project costs must be necessary and reasonable and in accordance with FMC A-87, 43 CFR 12, OMB A-102, and NPS, National Register Programs Guideline (NPS-49) to be allowable costs. Total project cost must be used for cash disbursements for professional services, expendable materials and supplies. Other standard expenses include honoraria, photography, travel and graphic reproduction. An itemized cost breakdown must be submitted to and approved by the HPO as part of the annual grant application and selection process. Any budget item variations in excess of ten percent (10%) from the approved DEP-069G, Grant Agreement, will require the HPO's written authorization. If there are items for which an accurate estimate cannot be made at the outset of the project, those items should be listed and estimates sent to the HPO for approval before expenditure.

All publication and video costs require prior written approval from the HPO/NPS in order to be allowable costs. Publication costs not clearly identified in the DEP-069G, Grant Agreement, Attachments B-1, D, and D-1 are not eligible. In addition, any publication or video which does not contain the required NPS funding acknowledgments and HPO logo in accordance with the DEP-069G, Grant Agreement, Attachment D-1, will not be eligible for reimbursement.

## **F. Matching Share**

CLG Grantees in Category 1 will not be required to provide matching share. To make grants more accessible and competitive, the HPO has elected to offset the matching requirement with our staff time.

## **G. Materials and Supplies**

Purchases made specifically for the grant project must be made in accordance with NPS-49 and applicable State and local guidelines. The aforementioned procurement procedures must be applied to all grant related purchases of materials and supplies. Grantees must be prepared to demonstrate and document that competitive pricing has been sought for all purchases regardless of the dollar amount.

## **H. Project Income**

Project income (or “grant related income”) means gross income earned by the Grantee generated by charges which are directly related to a principal project objective. Project income includes, but will not be limited to, income from services, fees, usage or rental fees, and royalties on patents and copyrights. The Grantee must notify HPO if the grant assisted project will result in the Grantee realizing income. The HPO will provide the Grantee further information for proper disposition of any income in accordance with the guidelines in OMB Circular A-102 and NPS-49. All project income must be disposed of in accordance with the aforementioned Guidelines and the DEP-069G, Grant Agreement.

## **I. Required Documentation for Reimbursement**

Upon final execution of the DEP-069G, Grant Agreement by the Department of Environmental Protection, the Grantee shall receive a copy of the Agreement from the HPO. At the mandatory grant workshop(s), the HPO will provide the Grantee with sufficient forms, samples and instructions necessary for processing all project reimbursement requests.

Fiscal documentation is required for 100% of the eligible costs set forth in the DEP-069G, Grant Agreement, Attachment B-1, Budget. The HPO will reimburse the Grantee for all those costs documented in accordance with these guidelines up to the approved grant award. The number of times the Grantee is required to request reimbursement is specified in the DEP-069G, Grant Agreement, Attachment D, Schedule. The estimated time frame for reimbursement is 4-6 weeks from the date the HPO issues written acceptance of the reimbursement package and the Grantee returns the certified and signed State Procurement Voucher/ Invoice. Any requests which are found to be incomplete will be returned to the Grantee without action. A letter outlining the documentation necessary to make the request acceptable will accompany all reimbursement requests determined to be incomplete. The Grantees must submit their reimbursement requests to the HPO with costs documented in conformance with the approved budget.

Completed HPO “Request for Survey Reimbursement” form (Attachment 2 must reflect

only the approved budget categories) summarizing expenditures for contracts and materials shall accompany each reimbursement request. These forms must be signed by an authorized agent of the Grantee. Final reimbursement will be made to the Grantee only after all terms and conditions set forth in the DEP-069G, Grant Agreement have been met and approved (in writing) by the HPO.

### **Consultant Services**

- Complete, signed and dated Request for Survey Reimbursement Contracts/Materials form.
- Evidence of compliance with State and local public bidding laws and regulations and the Federal Procurement Standards.
- A copy of the fully executed contract between the Grantee and any qualified professional consultants.
- A copy of the consultant’s invoice(s) and the Grantees authorized payment voucher(s).
- A check number for each payment corresponding to the invoice(s) and voucher(s) above.

### **Materials**

- Complete, signed and dated Request for Survey Reimbursement Contracts/Materials form.
- Copies of completed, signed and dated vendor invoices/receipts and Grantee vouchers.
- A check number for each payment corresponding to the invoice(s) and voucher(s) above.
- All cash purchases must documented by a receipt clearly marked paid in full.
- Documentation to demonstrate compliance with State and local public bidding laws and regulations and the Federal Procurement Standards must be maintained on file for audit in accordance with the DEP-069G Grant Agreement.

## **J. Project Records**

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All required supporting documentation including books, records and papers must be maintained by the Grantee for a period of three (3) years or until an acceptable audit has been performed and all claims and audit findings involving the records have been resolved. The three (3) year retention period starts from the date of the final reimbursement. This documentation must be made available for inspection and audit by the HPO, its agents, and/or the Comptroller General and its agents within that three (3) year period. If any litigation, claim or audit is started before the expiration of the three (3) year period, the records must be retained until all litigation, claims or audit findings involving the records have been resolved. In addition, these records must be maintained in accordance with the DEP-069G, Grant Agreement, General Terms and Conditions, Section XX, Record Retention.



# Appendix E

## Category 1

**WHEREAS**, the governing body of \_\_\_\_\_ desires to apply for and obtain an Historic Preservation Fund CLG Category 1 Grant from the Department of Environmental Protection, Natural & Historic Resources, Historic Preservation Office: and

**WHEREAS**, in order to obtain such a grant, it is necessary that the \_\_\_\_\_ submit an application to and enter into an agreement with the Department of Environmental Protection with regard to any such grant which may be offered to the \_\_\_\_\_.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the \_\_\_\_\_ that the Mayor (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ or Designee (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ grant in accordance with all pertinent terms, conditions and requirements which may be established for such an application and further, shall accept, and agree to comply with and fulfill, each of the understandings and assurances contained in said application; and

**BE IT FURTHER RESOLVED** that the Mayor or Designee or the successor to the Title of \_\_\_\_\_ are hereby authorized and directed to execute any and all documents necessary for the submission and completion of such an application on behalf of the \_\_\_\_\_; and

**BE IT FURTHER RESOLVED** that the Mayor or Designee or the successor to the Title of \_\_\_\_\_ are hereby authorized and directed to provide any and all information which may be required in order to obtain such a grant; and

**BE IT FURTHER RESOLVED** that, in the event that the Department of Environmental Protection determines to offer the \_\_\_\_\_ a Historic Preservation Grant pursuant to its application, the \_\_\_\_\_ shall not be required to provide a local matching share; and

**BE IT FURTHER RESOLVED** that in the event that the Department of Environmental Protection determines to offer the \_\_\_\_\_ an Historic Preservation Grant pursuant to its application, the Mayor or Designee or the successor to the Title of \_\_\_\_\_ are hereby authorized and directed to execute a grant agreement with the Department of Environmental Protection on behalf of the \_\_\_\_\_ for the amount of the grant.

**BE IT FURTHER RESOLVED** that the \_\_\_\_\_ agrees to comply with all federal, state, and municipal laws, rules and regulations in its performance pursuant to the grant agreement.

**SIGNED:** \_\_\_\_\_ Mayor or Designee

I, (Name) \_\_\_\_\_ Clerk of the \_\_\_\_\_ DO HEREBY CERTIFY that the foregoing is a true and correct copy of a Governing Body Resolution adopted by the \_\_\_\_\_, at the meeting held on \_\_\_\_\_ 20\_\_ IN WITNESS WHEREOF, I, the said Clerk, have hereto set my hand and affixed the corporate seal of the \_\_\_\_\_, this \_\_\_\_\_, 20\_\_.

**ATTEST:** \_\_\_\_\_ Clerk (CORPORATE SEAL)



# Appendix F

## **NATIONAL REGISTER PROGRAMS GUIDELINE (NPS-49) CHAPTER 3**

### **C. Conflict of Interest**

#### **1. Policy.**

No person (see definition in subsection 2.a., below) shall participate in the select award, or administration of any HPF assisted program activity, subgrant, contract, or subcontract if a conflict of interest, real or apparent, exists. Nor shall any person participate through approval, disapproval, recommendation, or other decision concerning any Federal Preservation Tax Incentive Certification, National Register Nomination, or Review and Compliance case if such a conflict, real or apparent, exists.

No person shall engage in outside employment or have any direct or indirect financial interest that conflicts or would appear to conflict with the fair, impartial, and objective performance of officially assigned duties and responsibilities for administration of the HPF program. Employees or agents (i.e., persons authorized to represent the SHPO organization, or to perform any official capacity for it) shall neither solicit nor accept gratuities, favors, nor anything of monetary value from contractors, potential contractors, or parties to potential or actual HPF grant awards.

#### **2. Definitions.**

**a.** "Person" means:

- 1)** The State Historic Preservation Officer,
- 2)** State Historic Preservation Office staff,
- 3)** President of the National Trust

for Historic Preservation,

- 4)** Staff of the National Trust for Historic Preservation,
- 5)** Trustees and Advisory Board Members of the National Trust for Historic Preservation,
- 6)** Subgrantees or contractors paid in whole or part, by HPF funds or whose time or salaries are used as allowable matching share,
- 7)** Members of a State Review Board(s) and/or separate Commission(s) which share 36 CFR 61 or HPF grant oversight responsibilities,
- 8)** CLG commission members, agents, or staff, and
- 9)** Employees, agents, partners, associates, or family members of those cited in this definition.

**b.** A "conflict of interest" exists when a person may benefit (either through financial or personal gain) from the position he/she holds with respect to the HPF assisted program or may be unable to make impartial decisions or render impartial advice due to outside relationships or other activities with other persons as defined above. This applies to those persons who participate in or influence the grant award decision-making process, gain information not available to the general public, or provide oversight or administration of any aspect of the HPF grant program.

- C. An "apparent conflict of interest" exists whenever circumstances are such that a person may appear to be in a position to benefit (either through financial or personal gain) from the position he/she holds with respect to the HPF-assisted program or may be unable to make impartial decisions or render impartial advice due to outside relationships or other activities with other persons as defined above. This applies to those persons who participate in or influence the grant award decision-making process, gain information not available to the general public, or provide oversight or administration of any aspect of the HPF grant program whether or not such a conflict actually exists. An apparent conflict of interest also exists when a person may appear to have an unfair competitive advantage because of his/her relationship with the SHPO organization. Accordingly, Review Board members should not be included on any lists of qualified consultants distributed to the public by the SHPO.

### **3. Declaring and Resolving Conflict of Interest.**

- a. Nonvoting. When any person, as defined in subsection 2.A., above, is involved in nonvoting situations such as Tax Act Certification or Review and Compliance decisions, and a real or apparent conflict of interest situation exists, the person involved must disclose the possible conflict and physically absent and recuse himself/herself from the decision-making process. The conflict shall be declared and documented in writing (by providing the name, date, and nature of the conflict) as soon as the situation becomes apparent but, at a minimum, before the issue or action for which the conflict exists is acted upon or brought to resolution. Those in a position to make a decision must be fully informed as to the possible interest of the persons

involved.

- b. Voting (Review Board/Commission Meetings). When a real or apparent conflict of interest situation arises in the context of a voting situation, the person must disclose the possible conflict and physically absent and recuse himself/herself from the decision-making process (including presentations and discussion) and neither vote directly, in absentia, nor by proxy in that matter. The recusal and the reasons therefore must be recorded in the meeting minutes. Those in a position to make a decision must be fully informed as to the possible interest of the person abstaining and recusing himself/herself.

### **4. Written Procedures (Code of Conduct).**

Each SHPO organization and the National Trust must maintain a written code with standards of conduct governing the performance of their employees engaged in the award and administration of contracts. This code must, at a minimum, comply with the requirements of this section, and is binding on all persons listed in subsection 2.A., above.

The grantee may adopt more stringent requirements than those specified by NPS. The standards established in this section shall be considered the minimum. In those situations where existing State procedures are more stringent, those shall apply. However, in situations where State-wide conflict of interest requirements are less stringent (e.g., may not apply to the Review Board or a separate Commission), the standards in this section shall apply for administration of the HPF program in its entirety.

### **5. Procurement**

Contract awards shall not be made to any person or firm who has developed or has drafted bid specifications, requirements, a statement of work, an invitation for bids, and/or a request for proposals for a particular grant-related procurement.



## **6. Nepotism**

State grantees will follow State laws and administering regulations governing nepotism in relation to employment, contracting, and the award of HPF grant assistance.

## **7. Officials Not to Benefit**

No member of or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of a grant, or to any financial benefit that may arise therefrom; but this provision shall not be construed to extend to a grant if made with a corporation for its general benefit.

## **8. Corrupt Practices**

The award and administration of NPS grants and of sub-agreements awarded by State grantees under those grants must be accomplished free from bribery, graft, kick-backs, and other corrupt practices. The grantee bears the primary responsibility for the prevention, detection, and cooperation in prosecution of any such conduct. Federal administrative or other legally available remedies will be pursued to the extent appropriate.

No person, agency, or other organization may be employed or retained to solicit or secure a grant or contract upon agreement or understanding for commission, percentage, brokerage, or contingent fee. For breach or violation of this prohibition the Federal Government shall have the right to annul the grant without liability or, at its discretion, to deduct from the grant or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee, or to seek such other remedies as may be legally available.

## **9. Enforcement**

The grantee organization must enforce and document that it enforces its conflict of interest procedures or code of conduct whenever applicable. At a minimum, there must be written records of abstentions from the decision-making process in conflict of interest situations. The records of abstentions and recusals shall, at a minimum, doc-

ument who was absent from the decision and for what reason.

Individuals who have a pattern of conflicts of interest and consequent abstentions, ought to be removed from the Board, commission, etc., or assigned other responsibilities because their function of offering advice cannot be fulfilled. In addition, the grantee organization must ensure that those on whom these procedures are binding (subsection 2.a., above) are fully knowledgeable of these conflict of interest requirements and agree to abide by them in the execution of their HPF program responsibilities. Documentation of these requirements is fulfilled by a signed and dated statement from each person attesting to that fact.

State Ethics officers are authorized to determine the applicability of these requirements to individual situations in regard to State employees and to resolve employee conflict of interest situations.

## **10. Conflict of Interest Involving Current or Former Federal Employees**

The grantee will not use any Federal funds or funds from other sources applied as matching share to pay a fee to, or travel expense of, current employees of the Federal Government for consultant services, lectures, attending program functions, including HABS/HAER participation, or any other activities in connection with the grant or any subagreement awarded under this grant. Grantees are to consult with NPS when the appearance of such conflicts of interest arise. This prohibition is in accordance with 18 U.S.C. 209 which stipulates that Federal employees whose employment has not terminated shall not receive supplemental compensation for their services in their capacity as Federal Government employees.

It is NPS policy that personal or organizational conflict of interest, or the appearance of conflict of interest, be prevented in the award and implementation of grants, including subgrants and subcontracts or

other subagreements which involve former and current Federal employees in the award and implementation of grants. A conflict of interest will appear to exist when grant assistance is awarded to or by a grantee and a current or former NPS employee participated in the pre-award and award process and benefits financially from the grant. Specific details are contained in 43 CFR 20.

## **11. Violations**

When there is a suspected violation of the conflict of interest policy or requirements, the SHPO organization must advise NPS of the matter, pursue available State or local legal and administrative remedies, take appropriate remedial action with respect to any allegations or evidence coming to its attention, and advise NPS of the ultimate disposition of any matter. Such violations may result in cost disallowances or other sanctions.